Province of British Columbia

Ministry of Environment

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# B.C. ENVIRONMENT

## ENVIRONMENTAL PROTECTION DIVISION

# PUBLIC CONSULTATION GUIDE

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# PUBLIC CONSULTATION GUIDE

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## PREFACE

This guide is divided into five sections.

**Section I** is the **Introduction.**

**Section II, Developing a Public Consultation Program,** outlines the fundamental questions to ask if it appears that public consultation is needed.

**Section III, Public Involvement Activities,** presents 10 types of public consultation - what they are, when to use them, some limitations on their use, and other considerations.

**Section IV, Developing - the Communications Strategy,** takes all of the background and concepts and compiles them into a formal document.

**Section V, Post - Consultation Evaluation,** describes the reqisite elements of a post-consultation evaluation program.

**The Appendix** documents a series of checklists for consultation planning.

DRAFT

# ENVIRONMENTAL PROTECTION DIVISION
# PUBLIC CONSULTATION GUIDE

## I. INTRODUCTION

### 1. PURPOSE

The Environmental Protection Division will be developing a number of proposed regulations and policies in the next year that will require various levels of public consultation.

The purpose of this manual is to develop a framework for involving the public in B.C. Environment's decision-making process.

### 2. COMMITMENT

The ministry firmly believes that the public should take an active role in planning environmental policies, programs, and projects.

B.C. Environment's commitment to public consultation recognizes and ensures the right of members of the public to have a meaningful role in environmental protection and management.

### 3. DEFINITION

Public consultation is an on-going process involving communication and interaction between government and the public.

### 4. BENEFITS

Public consultation enhances the decision-making process by establishing a forum for government and the public to exchange ideas and information and to work together to develop constructive solutions and strategies on important environmental issues.

A successful public consultation process is part and parcel of successful decision making as it assists public policy decisions to represent societal goals. It leads to better decisions, thus reducing the potential for conflict.

Most importantly, the process provides an opportunity for influencing government decisions.

## II. DEVELOPING A PUBLIC CONSULTATION PROGRAM

This section describes three basic steps to follow and questions to ask when designing a public consultation program.

The steps are: setting a goal, defining the target public, and developing the public consultation strategy.

### 1. SETTING A GOAL

When faced with the possibility of initiating a public consultation process, ask yourself the following questions to focus your decision:

- At the end of the day what do I need from the public consultation process? Do I need public support for a proposed permit, activity, construction project, policy or procedure? Are the public demanding to be consulted?
- Does the government have "draft decisions" that can be influenced by the public?
- What opportunities exist to influence these opinions/attitudes?
- What statutory requirements constrain or direct my actions?

If there are no decisions to be influenced, then you are not carrying out public consultation, but rather public information or education.

### 2. DEFINING THE AUDIENCE

Effective public consultation requires that those individuals who should be consulted are given advance notification of the process and given fair and adequate opportunity to comment. Ask yourself:

- Who will be directly impacted by the policy or project?
- Who may be indirectly impacted by the proposal?
- What other individuals, associations, public-interest groups, political organizations, and companies might be interested in the proposal?
- What is the best way to provide these individuals and organizations with proper notification of the process?

## 3. ASSESSING YOUR NEEDS

In developing your consultation strategy you should consider the following needs:

- **Information out**: providing information
- **Information in**: understanding the audience
- **Dialogue**: discussing the issues
- **Consensus Building**: cooperative decision making
- **Follow-up**: ensuring follow-up

Assess your project and determine which needs will be met by public consultation. Pick the most effective mix of consultation activities from those described in Section III.

## III. PUBLIC INVOLVEMENT ACTIVITIES

There are 10 public involvement activities commonly used. These activities are:

- Public Meeting
- Open House
- Workshop
- Public Committees
- Public Discussion Paper
- Toll-Free Telephone Line
- Targeted Briefing
- Public Seminars
- Site Visit
- Focus Groups

Each activity is broken down into four sections: What; When; Limitations; Other Considerations.

Choose one activity or a mix of activities that meet the needs of your situation.

Program managers **should always** invite the participation of the Public Affairs and Communications Branch, early in the design of **any** public involvement process.

## 1. PUBLIC MEETING

**What:**

- An opportunity to provide information to the public and to receive comments.
- Follows a set agenda and is chaired by an impartial and respected local individual.

**When:**

- To provide information efficiently to large numbers of the public, to quickly receive their views, and to clarify any misconceptions.

**Limitations:**

- Large public meetings are not suitable for consensus building.
- Public meetings are not always suitable for presentation of detailed information.
- Special interest group questions may sidetrack discussions.
- Public meetings can result in confrontation between ministry staff and special-interest groups.

**Other Considerations:**

- Pick a chairperson who has excellent inter-personal communications skills.
- Ensure that staff understand objectives and develop an agenda.
- Schedule the meeting at a convenient site and allow for appropriate advertising.
- Brief chairperson on issue and recent developments.
- Ensure staff practise their presentations.
- Arrange for staff to arrive early for set up.

**Who:**

- Prior to any public meeting, a manager should **always**:

  - advise the Assistant Deputy Minister and the Director of the Public Affairs and Communications Branch of the time, date, location, and purpose of the meeting, proposed staff participation, and the public's expected response;

  - confirm staff attendance with the Assistant Deputy Minister.

- The choice of a B.C. Environment spokesperson depends on the sensitivity of the issue and the expectations of the public. a high-level official in the government can help diffuse a sensitive situation by demonstrating that B.C. Environment is very concerned. The public may expect decisions, or a strong commitment to decisions, and only a high-level official is capable of making those decisions.

  In general:

  - the responsible line **Director or Manager** should attend **all** public meetings, and may speak for the Ministry where the issue is confined to **technical, administrative and non-sensitive policy discussions**. Suitable technical staff should also be present.

  - **In sensitive issues**, the Assistant Deputy Minister, Regional Director, responsible line Directors and Managers, and suitable technical staff should attend but **only the Assistant Deputy Minister speaks for the Ministry**.

  - **In very sensitive issues, the Deputy Minister** joins the persons described for sensitive issues and **is the sole spokesperson for the Ministry**.

- If line Directors and Managers have any doubt about who should attend or the propriety of attending a public meeting they should seek advice from the Assistant Deputy Minister and Director of the Public Affairs and Communications Branch.

## 2. OPEN HOUSE

**What:**

- An informal event at which the public can obtain information at their leisure.
- Usually consists of displays and hand-out materials. Ministry staff are present to answer questions.

**When:**

- To provide detailed information to the public in an informal setting that accommodates individual schedules.
- To provide responses to specific questions in a non-confrontational setting.
- To allow staff to understand and reply to individual concerns.

**Limitations:**

- Open houses must be well advertised to avoid poor turnout by the public.
- Open houses are labour intensive, and require considerable preparation and staff time.

**Other Considerations:**

- Advertise and publicize meetings carefully to attract the target audience.
- Select a site convenient to the target audience, and schedule the event at a suitable time.
- Develop an open house workplan describing objectives, information to be displayed, display construction times, display transportation schedule, staff roles and responsibilities.
- Meet with Public Affairs and Communications Branch to verify suitability of information to be provided.
- Ensure ample time for set-up, and practise presentations.

## 3. WORKSHOP

**What:**

- A structured forum where people are invited to work together in a group or groups on a common problem or task.
- Limited to a small number of participants (maximum of 15 individuals) who are chosen because of their knowledge, expertise, and cross-section of views.
- Run by a professional facilitator who:
  - structures input, ideas and output toward resolution of a task.
  - builds consensus amongst participants.
  - focuses meandering discussions on the principal issues.

**When:**

- To solve problems and build consensus for action but not to answer people's questions or provide information.
- To develop a better understanding of issues and problems.
- The workshop format can be used to negotiate the text of proposed regulations which is sometimes referred to as the 'regulation-negotiation' or 'reg-neg' process.

**Limitations:**

- Unless participants are committed to achieving a common goal, confrontation can result.

**Other Considerations:**

- Clearly define the problem or challenge for facilitator and group.
- Hire an experienced facilitator who will operate in an impartial manner.
- Select participants carefully to represent broad or common interests as required.
- Allow sufficient time for facilitator and participants to periodically review progress of workshop.
- Ensure that meeting facility meets needs of the workshop: seating, room size, and accommodations.

- Advise participants what is expected of them, and what preparation they will need to do.

- Arrive early enough to ensure that logistical requirements of the meeting can be arranged.

## 4. PUBLIC COMMITTEES

**What:**

Three types of public committees exist for public involvement purposes:

- **The Public Advisory Committee**: provides input and advice on policies related to complex and lengthy environmental problems.
- **The Public Liaison Committee**: organized at the local level to address a site-specific concern.
- **The Monitoring Committee**: organized at the local level and assumes a 'watchdog' role during the implementation phase of a project.

The terms of reference for a public committee should usually prescribe whether the committee is time limited or ongoing.

The terms 'Working Group' and 'Task Force' have been used to describe any one of the above-noted committees.

**When:**

- To allow a wide range of comments and advice on an environmental issue in a problem-solving format.
- To obtain quick and crisp insight into the views of opposing groups concerning specific proposals.
- To build consensus between divergent views of special-interest groups.
- To provide advice to ministry managers on communications with critical stakeholders.
- To provide a credible forum for disseminating information throughout a community.

**Limitations:**

- Committee membership must be broad enough to represent all important interests but consist of individuals willing to work towards problem resolution.
- Committee's task must be definable and achievable.
- Committee must not be the sole or principal element of a public consultation process.

**Other Considerations:**

- Develop committee's terms of reference and pick committee model suitable for task at hand.
- Develop workplan for committee and membership.
- Advise audience of proposed establishment of committee and opportunity for involvement.
- Determine committee membership through ministry appointment, voting at a public meeting, or asking certain groups to select a representative.
- Chairman of committee should facilitate deliberations to keep activities focused and on track.
- Committee should establish ground rules at outset concerning how consensus will be established, who speaks on behalf of the committee and the role of ministry staff who may be involved with its work.
- To ensure accountability, the committee should report to the general public through regular meetings, newsletters and informal communications.

## 5. PUBLIC DISCUSSION PAPER

Two types of discussion papers are commonly used for public involvement purposes - **position papers** and **options papers**. Discussion papers are developed in co-operation with regional staff but are only released through Environmental Protection Division main office branches.

**What:**

- **A position paper, commonly referred to as a 'white paper'**, is a statement by government setting out a proposed policy with a government commitment to certain core principles but a willingness to change position on lesser points.

  It is normally employed when the goal of the paper is to influence the public to support a particular approach. All position or white papers require cabinet approval.

- An **options paper, commonly referred to as a 'green paper'**, examines various alternatives available to a decision maker without one alternative selected as the preferred option. It is designed to seek public reaction and input prior to policy formulation. An options or green paper only requires Ministry Executive Committee approval, but is customarily delivered to Cabinet as an information item.

**When:**

- To provide a large number of people and organizations with information on major proposals.

- To get a detailed sense of the range of concerns of interested parties since responses are generally written, well thought out, and prepared by people with considerable interest in the issue.

- To identify quickly what follow-up consultation activities may be required.

**Limitations:**

- A public discussion paper will invariably need to be augmented with other public consultation activities, such as public meetings, because some people may not receive the paper and some individuals may not be comfortable with replying in writing.

- Preparation of a discussion paper, distribution, review of submissions and follow-up are time and labour intensive.

**Other Considerations:**

- Discussion papers should have the following structure:

  - describe the problem at hand, explore its causes, and consequences.
  - **a position paper** must advocate the merits of the solution the Ministry favours.
    an **options paper** should describe each alternative solution and outline the advantages and disadvantages.
  - identify the author of the paper and how feedback will be incorporated.
  - specify who will receive the responses.
  - provide 60 - 90 days for responses.
  - identify a contact person to answer questions.

- Prior to a public release, **an options or green paper** must receive approval from several Ministry groups in the following order:

  - EPD Directors Committee
  - Executive Director, EPD
  - Assistant Deputy Minister
    Environmental Management Department
  - Deputy Minister
  - B.C. Environment Executive Committee
  - Minister of Environment

- In addition to the approvals described above, **a position paper or white paper** must be presented to and receive the consent of Cabinet prior to public release. Approval should be sought by means of a Cabinet Submission.

- A discussion paper should have a follow-up document or other subsequent consultation activity.

- Those who submit comments on a discussion paper may have an unrealistic expectation that government will take immediate action.

## 6. TOLL-FREE TELEPHONE LINE (800 NUMBER)

**What:**

- A toll-free telephone establishes a direct communications link to a ministry office on topical issues.

- Where a 'hot-line' is contemplated as an element of your consultation process, consider shared use of B.C. Environment's toll-free Recycling Hotline Service (732-9253 in Vancouver and 1-800-667-4321 elsewhere in the province). This features:

  - Live operator service, Monday to Saturday, 9:00 am - 5:00 pm. The operator will redirect incoming calls to staff managing the consultation process; and
  - Computer generated information and message recording service at all other times.

Contact Leslie Sullivan, Manager, Marketing & Enterprise Development, Municipal Solid and Biomedical Waste Branch, at 356-9971 to make arrangements.

**When:**

- A toll-free line provides a vehicle for concerned members of the public to obtain up-to-date information on current issues and to express their views to appropriate ministry staff.

- A 'hot-line' allows the ministry to receive information concerning emergencies and to provide immediate advice to the public.

**Limitations:**

- A hot-line may result in substantial costs due to continuous staffing requirements as well as fixed and variable monthly charges.

- Shared use of B.C. Environment's toll-free Recycling Hotline may not be appropriate for highly sensitive public issues i.e. a major spill requiring timely advice to the public. In these circumstances, a special, independent toll-free line may be more suitable.

**Other Considerations:**

- Toll-free telephone lines do not stand alone and should be used in conjunction with other public involvement activities.

## 7. TARGETED BRIEFING

**What:**

- Targeted briefings are closed sessions in which ministry personnel present information about a specific issue to a specific group of participants or where individuals, firms or groups brief the Ministry on a particular topic.

**When:**

- To provide important information about an initiative to an affected public very early in the public involvement process.

**Limitations:**

- Targeted briefings are not suited to decision-making because the general public is excluded.
- The closed door component can lead to the perception that the ministry is working with a group 'in secret'.

**Other Considerations:**

- Public consultation activities reaching the general public should occur shortly after the targeted briefing.

## 6. PUBLIC SEMINARS

**What:**

- A public seminar is a formal event designed to promote an exchange of information and ideas between ministry staff and members of the public.

**When:**

- To address broad policy issues as opposed to a workshop which focuses on a specific task. There is no specific target public and everyone is expected to participate.

**Limitations:**

- Groups or participants may seek to divert the seminar from its primary purposes.

**Other Considerations:**

- Public seminars require considerable staff time to organize.

## 9. SITE VISIT

**What:**

- A site visit involves inviting the public to a specific location to receive first-hand information about a site.

**When:**

- To allow the public to tour a site and to receive more detailed background information in handouts.
- To help the public better understand an issue where an appreciation of the physical site is important.

**Limitations:**

- Site visits are not conducive to large numbers of participants.

**Other Considerations:**

- Site visits require considerable planning and commitment of staff time.

## 10. FOCUS GROUPS

**What:**

- A focus group is a meeting of selected participants who represent particular communities, regions, or stakeholder groups.

**When:**

- To gauge the public's potential response to a proposed policy or plan, before taking it to the public at large.
- To receive detailed insight into various groups concerns and values regarding a specific policy or issue.

**Limitations:**

- A focus group is not an appropriate vehicle to convey information to key stakeholder groups or to the public.
- A focus group should not be employed to answer questions, build consensus or make decisions.

**Other Considerations:**

- A focus group requires the leadership of a professional facilitator who is skilled at drawing out individuals preferences and reactions to proposed initiatives or policies.

## IV. DEVELOPING THE COMMUNICATIONS STRATEGY

At this point you should formalize your design for a formal consultation process by developing a communications strategy. The strategy need not be a long document but an attempt should be made to address each of the following elements:

- issue
- background
- objective
- target groups/audience
- other agencies involved
- recommended strategy
- implementation/action plan
- budget
- ministry contact

### 1. ISSUE

The strategy should begin with a clear statement of the issue. What has happened or what is going to happen that necessitates some planned and organized communications?

### 2. BACKGROUND

In as concise a way as possible, outline the background to the issue. This would include, but is not limited to:

- a chronological review of events leading up to the present with particular reference to what B.C. Environment has been doing about the issue
- summary of media coverage to date
- public and target audience response to date as indicated by such things as minister's letters and phone calls
- a brief review of relevant legislation and regulations
- internal meetings and policy decisions that affect the issue
- reference to relevant reports or background documents

### 3. OBJECTIVE

The objective section clearly states what you are trying to do with the communications strategy and where you want to go. There is usually more than one objective, but care should be taken not to get too ambitious. More than four or five objectives would probably be beyond the scope of one plan.

## 4. TARGET GROUPS/AUDIENCE

All public-interest groups, organizations and associations who should be communicated with are listed in this section. An audience may be very specific, such as the West Coast Environmental Law Association, or general, such as "media" or "general public". It is important to do extensive research into potential audiences. If an audience is left out of the communication process, the consequences can be disastrous.

## 5. OTHER AGENCIES INVOLVED

List all other government agencies that should be informed or may even wish to be involved in the communications activity.

## 6. RECOMMENDED STRATEGY

The recommended strategy is the meat of the document. The strategy outlines how to communicate with all of the audiences that are affected by the issue and in the process meet your objectives. The strategy provides the step-by-step methods for communicating.

In a communications strategy for a public involvement program, the strategy would outline all of the public involvement activities that would be employed. This section should also address publications, media relations and any other communications initiative that might be required to supplement, complement or promote the public involvement program.

## 7. IMPLEMENTATION

This section, which could be combined with the previous section, presents a timeline for all of the activities. Responsibilities for each part of the plan can also be indicated.

## 8. BUDGET

This section outlines the budget for the communications activities. It could also be presented along with the two previous sections.

## 9. MINISTRY CONTACT

The names, titles and phone numbers of the key ministry contacts for the communications activity are listed here.

To assist you in developing the strategy, you should consult the following individuals within the **Public Affairs and Communications Branch** to seek **formal approval** for the plan and to receive advice on means to increase the effectiveness of your proposed program:

**Jennifer Smyth**
Manager, Communications Planning
Public Affairs and Communications Branch
BC Environment
1st floor
810 Blanshard Street
Victoria, British Columbia
V8V 1X5
Tel: 387-5704

**Alan Dolan**
Media Relations Co-ordinator
Public Affairs and Communications Branch
BC Environment
1st floor
810 Blanshard Street
Victoria, British Columbia
V8V 1X5
Tel: 387-9423

Within the **Environmental Protection Division**, you may wish to contact:

**David Buchan**
A/Manager, Program Planning and Policy
Program Planning and Evaluation Branch
BC Environment
2nd floor
810 Blanshard Street
Victoria, British Columbia
V8V 1X5
Tel: 356-0203

## V. POST-CONSULTATION EVALUATION

Once the consultation process has concluded, an evaluation of its strengths and weaknesses should be conducted. Those results should provide considerable insights into the administration of future public involvement activities. The following describes questions that should be asked or avoided during such an evaluation:

**Relevant questions:**

The evaluation should examine and answer the following key questions:

- Did you contact most of those individuals or organizations who needed to be contacted?
  - those who might be directly impacted by the project or proposal?
  - those who might be indirectly impacted by the project?
  - specialized groups that might be interested in the project i.e. local environmental associations, industry, local governments?
- Did the consultation activities meet the consultation needs of the affected individuals?
- Did the final decision give due consideration to the views of those who were consulted?
- Was the public informed of the final decision with respect to the project, proposal, or issue?
- Is it clear to the public how their input was used?
- Did people understand the final outcome or decision?

If the answer is yes to these questions, your consultation process has been successful.

**Irrelevant Questions:**

The following questions should *not* figure in your evaluation of the success or failure of your consultation activities:

- **Was the process easy or difficult?**
- **Did the process require a short or long period of time?**
- **Was the process expensive or inexpensive?**
- **Did the process encounter little or much controversy?**

- How many consultation activities took place?
- Did many or few individuals participate?

# APPENDIX
# CHECKLIST

**PLANNING**

- Set objectives ☐
- Assess needs ☐
- Determine information needs ☐
- Review resources ☐
- Select activities ☐
- Establish team ☐
- Assign tasks ☐
- _____ ☐

**AGENDA**

- Appoint chairperson ☐
- Designate speakers ☐
- Engage resource persons ☐
- Assign other tasks ☐
- Formulate presentations ☐
- Check registration needs ☐
- _____ ☐

**ADVERTISING**

- Contact Communications Branch ☐
- Prepare: ☐
  - Invitations
  - Posters
  - Newspaper ads
  - Notices
  - Public Service Announcements
  - Name tags
- _____ ☐

## EVALUATION

- [ ] Prepare sign-in book
- [ ] Prepare comment sheets
- [ ] _____

## AUDIO-VISUALS

- [ ] Prepare handouts
- [ ] Produce displays with Communications Branch
- [ ] Prepare overheads/slides
- [ ] Obtain video/film
- [ ] Book appropriate projector(s)
- [ ] Obtain microphone/speakers
- [ ] _____

## LOGISTICS

- [ ] Book room and consider:
  - Room size
  - Lighting
  - Security
  - Physical Access
  - Electrical outlets
- [ ] Inspect and pre-test facilities/equipment
- [ ] Prepare seating arrangement/head table
- [ ] Plan refreshments
- [ ] Ensure transportation
- [ ] _____

**SETTING UP**

- Post signs ☐
- Set up sign-in table ☐
- Set up displays ☐
- Arrange chairs/head table ☐
- Set up audio-visual equipment ☐
- Have extra projector bulbs ☐
- Have spare extension cords ☐
- Set up refreshments ☐

_____

**REGISTRATION**

- Register participants ☐
- Provide sign-up for mailing list ☐

_____

**THE EVENT**

- Greet people at door ☐
- Start on time or explain delays ☐
- Check if everyone can hear and see ☐
- Provide introductions ☐
- Review scope and objectives of meeting ☐
- Identify next steps ☐
- Record comments and commitments ☐

_____

**FOLLOW-UP**

- ☐ Hold de-briefing
- ☐ Review comment sheets
- ☐ Identify lessons learned
- ☐ Assign follow-up tasks
- ☐ Prepare/add to mailing list
- ☐ Review public consultation program
- ☐ _____